IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 10/596,282	;) PATENT PENDING
Filed: November 28, 2007	;) Examiner: David S. Andreason
For: Adaptive Physical Transmission Mode Selection) Group Art Unit: 2416
Docket No: 4015-5825	;	Confirmation No.: 4897))
Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. October 13, 2009 Date This correspondence is being: electronically submitted via EFS-Web	

RESPONSE TO OFFICE ACTION

This paper is timely submitted in reply to the Office Action mailed 13 July 2009 and no fees should be required for its entry. However, the Commissioner is hereby authorized to charge Deposit Account 18-1167 if any fees are required. Applicant respectfully requests reconsideration of this application in light of the below amendments and/or arguments.